

REMARKS

In response to the Quayle Action dated September 16, 2004, Applicant respectfully requests reconsideration and allowance of the present application. Claims 1-11 and 13 have been cancelled and correspondingly replaced with new claims 14-25. Thus, claims 14-25 are presently pending in the application. Applicant respectfully submits that no new matter has been added by the foregoing amendment.

On pages 2-4 of the Office Action, the drawings are objected to as having various informalities. In response thereto, Applicants have provided a set of Replacement Drawings to correct these informalities. FIG. 1 has been amended to correct change reference character "48" to proper element "68". FIG. 3 has been amended to remove reference label "52" and to correct the lead line of element "50." FIG. 5 has been amended to correctly indicate element "44" (previously incorrectly indicated as element 42). FIG. 6 has been amended to remove reference label "52." In view of these amendments to the Figures, Applicant respectfully requests reconsideration and withdrawal of the objections to the drawings.

On pages 4 and 5 of the Office Action, the specification is objected to as containing informalities and inconsistencies. In response thereto, among the amendments made, Applicant has amended "rotary piston" to read "rotary piston device" and amended "seal 56" to "external vane seal 56" as requested in the Office Action. Again, no new matter has been added. By the foregoing amendment to the specification, Applicant respectfully requests reconsideration and withdrawal of the objection(s).

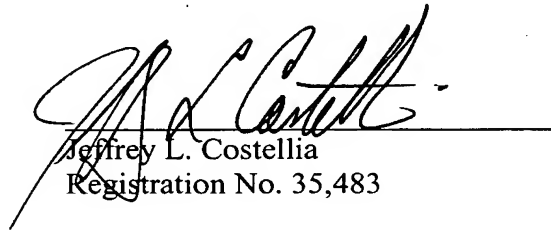
On pages 5-11, the Examiner has provided helpful comments and suggestions in order to ensure clarity of the claims. In response thereto, Applicant has amended the claims in substantially the manner suggested by the Examiner. However, the claims have been rewritten as new claims 14-25 so as to provide a clean set of claims. For example, throughout the claims the phrase "rotary piston" has been amended to recite "rotary piston device" as suggested in the Office Action.

In view of the amendments and arguments set forth above, Applicant respectfully requests reconsideration and withdrawal of all the pending rejections.

While the present application is now believed to be in condition for allowance, should the Examiner find some issue to remain unresolved, or should any new issues arise which

could be eliminated through discussions with Applicant's representative, then the Examiner is invited to contact the undersigned by telephone in order that the further prosecution of this application can thereby be expedited.

Respectfully submitted,



Jeffrey L. Costellia
Registration No. 35,483

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

JLC/BCO